

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-7 and 9-21 are pending. Claims 1 and 9, which are independent, are hereby amended. Claim 8 has been canceled without prejudice or disclaimer of subject matter. It is submitted that the pending claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. No new matter has been introduced by this amendment. Support for this amendment is provided throughout the Specification and specifically on page 24-26 and Figures 11 and 13. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicant is entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-7, 9-15, 18 and 19 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,934,964 to Schaffer, et al. in view of U.S. Patent No. 6,062,868 to Toriumi, et al. and further in view of U.S. Patent No. 6,553,180 to Kikuchi, et al.

Claims 16, 17, 20, and 21 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,934,964 to Schaffer, et al. in view of U.S. Patent No.

6,062,868 to Toriumi, et al. and further in view of U.S. Patent No. 6,553,180 to Kikuchi, et al.
and further in view of U.S. Patent No. 6,904,227 to Yamamoto.

Claim 1 recites, *inter alia*:

“...display means for displaying, on the display device, the index picture formed by said picture processing means and a user generated comment associated with the index picture...

...wherein the index pictures generated from the contents data represent a plurality of markers of a program and the user generated comments associated with each of the plurality of markers represent a text description of the plurality of markers.” (emphasis added)

Applicant submits that claim 1 is hereby amended to clarify the features as described on page 27 of the Specification in response to the Page 2 of the Advisory Action of June 12, 2008. Accordingly, Applicant submits that the prior art of record does not teach or suggest the above-identified features of claim 1 and, therefore, does not render claim 1 unpatentable.

As understood by Applicant, U.S. Patent No. 6,934,964 to Schaffer, et al. (hereinafter merely “Schaffer”) relates to an electronic programming guide system that employs a preference engine and a processing system that learns a viewer’s television watching preferences by monitoring their viewing patterns. The system operates transparently to build a profile of a viewer’s tastes that is used to recommend or automatically record television programs the viewer might be interested in watching.

As understood by Applicant, U.S. Patent No. 6,062,868 to Toriumi, et al. (hereinafter, merely “Toriumi”) relates to a sing-along data system including transmitting method for providing background video data and music and providing a plurality of sing-along receiving terminals for receiving the background video and music.

As understood by Applicant, U.S. Patent No. 6,553,180 to Kikuchi, et al. (hereinafter, merely “Kikuchi”) relates to a system for recording and playing back video data together with control information, a thumbnail, thumbnail control information, all extracted from a video.

Applicant submits nothing has been found in Schaffer, Toriumi, or Kikuchi, taken alone or in combination that would teach or suggest the above-identified features of claim 1. Specifically, Applicant submits that Schaffer, Toriumi, and Kikuchi fail to teach display means for displaying, on the display device, the index picture formed by said picture processing means and a user generated comment associated with the index picture wherein the index pictures generated from the contents data represent a plurality of markers of a program and the user generated comments associated with each of the plurality of markers represent a text description of the plurality of markers, as recited in claim 1.

Therefore, claim 1 is patentable.

For reasons similar to recited above, claim 9 is also patentable.

III. DEPENDENT CLAIMS

The other claims in this application are each dependent from the independent claim discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicant maintains that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on

each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

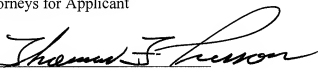
Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By



Thomas F. Presson
Reg. No. 41,442
(212) 588-0800